

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES MICHAEL GARCIA,

Defendant.

**Case No. CR-19-07-GF-BMM**

**SECOND AMENDED ORDER  
FOR PSYCHIATRIC OR  
PSYCHOLOGICAL  
EXAMINATION AND REPORT  
PURSUANT TO  
TITLE 18 U.S.C. § 4241(b), 4242,  
and §§ 4247(b)**

Defense Counsel for Defendant, James Michael Garcia (Mr. Garcia), having filed a Motion for Psychiatric or Psychological Examination and Report, there being no objection from the Government and good cause appearing therefor;

IT IS HEREBY ORDERED that Defendant, James Michael Garcia, be subjected to a psychiatric or psychological examination and an insanity defense evaluation, to be conducted, pursuant to 18 U.S.C. § 4241(b), 4242, and §§ 4247(b) and (c), by a licensed or certified psychiatrist or psychologist;

IT IS FURTHER ORDERED that Defendant, James Michael Garcia, be committed to a facility designated by the Attorney General to be examined for a reasonable period, but not to exceed thirty (30) days;

IT IS FURTHER ORDERED that a psychiatric or psychological report be

prepared and that said report shall include:

- (1) Defendant's history and present symptoms;
- (2) a description of the psychiatric, psychological, and medical tests that were employed and their results;
- (3) the examiner's findings; and
- (4) the examiner's opinions as to diagnosis, prognosis, and whether James Michael Garcia has an insanity defense;

IT IS FURTHER ORDERED that the report shall be filed with the Court, with copies to Counsel for James Michael Garcia, and the attorney for the Government. Upon receipt of said report and the return of the Defendant to this district.

IT IS FURTHER HEREBY ORDERED that all currently scheduled proceedings are VACATED.

The Court finds that all time between the date of this order and the post-examination hearing to be excludable time under the Speedy Trial Act. Title 18 U.S.C. §3161(h)(1)(A).

DATED this 25th day of June, 2019.



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Brian Morris  
United States District Court Judge